

O/C  
77

No. A/2-1/2007-WII (Vol. IX: 2015-16)

Dated 13<sup>th</sup> May 2015

To,

Sh. Anand Arya  
353, Sector-15A  
Noida-201301

Sub.: Information under Right to Information Act, 2005- reg.

Ref.: Your RTI Application dated 10.04.2015 sent by E-mail.

Sir,

With reference to point a) to f) of para 3(ii) of your above RTI application, the required information as obtained from the concerned officer of the Institute is attached herewith in 2 pages.

With reference to your RTI application cited above regarding the information asked by you under RTI Act, 2005. In this connection, the required information as asked under para 4 of your above RTI application has been collected from the concerned officer of the Institute and is attached herewith in 50 pages.

In case you are not satisfied with this reply and want to appeal as per the provisions of RTI Act, 2005, the address of Appellate Authority is being given as follows:

Dr. V.B. Mathur, Director & Appellate Authority, Wildlife Institute of India, Chandrabani, Dehradun – 248 001, Ph.: 0135-2640910.

Thanking you,

Yours faithfully,

*Sh. Anand*  
15/5/15

  
(Aseem Shrivastava)  
CPIO

Encl.: As above.

(P-11-61)

*Please discuss.*

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Dear Sir,

As instructed, I have collected the following list of documents related to RTI on Okhla Bird Sanctuary:

1. Copy of RTI (Received by email dated 10 April 2015\_ Annexure-I)
2. 8 Comments on the draft notification for ESZ Okhla Bird Sanctuary as received from individuals (received by email from Mr. Lalit Kapur Director, MoEF&CC, dated 13 April 2015\_ Annexure-II)
3. Draft notification on ESZ Okhla Bird Sanctuary put in public domain for comments (Soft copy downloaded from MoEF&CC Website for comments dated 11 April 2015\_ Annexure-III).
4. Summary of discussions of the meeting on ESZ around Okhla Bird Sanctuary held on 9<sup>th</sup> June 2014 (Hard copy received from MoEF&CC on 11 June 2014 and in WII-ESZ file\_ Annexure IV)
5. Summary of discussions held during the meeting on 20<sup>th</sup> Feb 2014 to discuss the proposal of Okhla Bird Sanctuary (Hard copy received from MOEF on 19 March 2014 and in WII-ESZ file\_ Annexure V)
6. Copy of letter with comments on ESZ okhla Bird Sanctuary sent by WII to DIG-WL MoEF&CC dated 15<sup>th</sup> February 2014 (Hard copy in WII-ESZ file\_ Annexure VI)
7. Draft notification on ESZ Okhla Bird Sanctuary (Soft copy received by Mr. Shasi Kumar MoEF&CC dated 16<sup>th</sup> December 2014\_ Annexure VII)
8. Copy of letter sent to CWLW Uttar Pradesh by AIG-WL MOEF&CC for request to sent the required documents for declaring ESZ around Okhla Bird Sanctuary dated 12<sup>th</sup> February 2014 (Hard copy in WII-ESZ file\_ AnnexureVIII)

The documents mentioned above are arranged accordingly. This is for your kind information and necessary actions.

Thanking You.

*Nasim 17 APRIL 2015*

Nasim Ahmad Ansari

Sr. Project Associate

PA (M)

17.4.15

From: "Vinod Mathur" <vbm.ddn@gmail.com>  
Subject: Fwd: comments on okhla bird sanctuary  
Date: Mon, April 13, 2015 14:56  
To: "dean@wii.gov.in" <dean@wii.gov.in>, "hussain@wii.gov.in" <hussain@wii.gov.in>, "Nasim Ahmad Ansari" <nasim@wii.gov.in>, "ravindra@wii.gov.in" <ravindra@wii.gov.in>, "Kehar Singh" <kehar@wii.gov.in>

Annexure-II (60)

fyki pls.

----- Forwarded message -----

From: **LALIT KAPUR** <l.kapur@nic.in>

Date: Mon, Apr 13, 2015 at 2:20 PM

Subject: comments on okhla bird sanctuary

To: dwii@wii.gov.in, psdir@gbpihed.nic.in, venkyzsi56@gmail.com, zsikolkata@gmail.com, psms.cpcb@nic.in, adaba.cpcb@nic.in, dfri@icfre.org, dgfsi@fsi.nic.in, cp.tcpo@yahoo.co.in, cp.tcpo@yahoo.com, cp-tcpo-mud@nic.in, unni.dgca@nic.in, sv.godavarthi@nic.in

Dear Sir,

Further to our mail dated 4.9.2015, please find attached the 8 comments on the draft notification for Eco-Sensitive Zone of Okhla Bird Sanctuary as received from various individuals.

Regards,  
Lalit Kapur  
Director, MoEF&CC

---

Dr. V. B. Mathur, D.Phil. (Oxon.)  
Director, Wildlife Institute of India, Chandrabani, Dehradun (Uttarakhand). INDIA  
Tel.: +91-(0)135-2640910(Off.); +91-(0)135-2640111 to 2640114 Ext.: 101(Off.) +91-(0)135-2104807 (Home)  
Mob.: +9412054648  
Fax: +91-(0)135-2640117  
Email: vbm@wii.gov.in; dwii@wii.gov.in

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**Attachments:**

**untitled-[1.1].plain**

Size: 1.2 k

Type: text/plain

**comments on okhla bird sanctuary.docx**

Size: 10 M

Type: application/vnd.openxmlformats-officedocument.wordprocessingml.document

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(59)

Subject: Comment on Draft Notification S.O. 2499 (E) of Ministry of Environment and Forests dated 24.09.2014 on Eco-Sensitive Zone around Okhla Bird Sanctuary  
To: esz-mef@nic.in; esz-mef@nic.in

Date: 10/15/14 11:41 AM  
From: T.K. KUMAR <tkkumar29@yahoo.com>

Sir,  
With reference to the subject Draft Notification dated 24.09.2014 on Eco-Sensitive Zone of Okhla Bird Sanctuary I submit my comment as an 'individual' Indian citizen residing in Noida

**Clause no. 1 (1) on page no. 1** of the draft notification may kindly be corrected/ amended to **1 KM to 1.27 KM** from the boundary of the Okhla Bird Sanctuary. Instead of 100 meters to 1.27 kilometers.

**Reason**

Earlier, 1 km jurisdiction around a wildlife sanctuary was notified as 'prohibited' area before its amendment to 10 KM. Moreover, Delhi & NCT/ NCR has very few open space or water body which acts as pollution sink other highly polluted few km stretch of River Yamuna. Reducing the eco-sensitive jurisdiction on the East, West & South side of Okhla Bird Sanctuary to a mere 100 meters will bring all commercial activities on the edge of the water body, the host of migratory birds & bird sanctuary. Noise, smoke, vehicle horn, waste discharge will drive the birds away. Minimum 1 KM distance is a must. 100 meters jurisdiction of an eco-sensitive zone in NCR with population over 2 crores & numerous developmental activities will prove ineffective.

**Clause no. 1 (2), page no. 1** the sentence may be corrected as The Eco sensitive Zone is the area up to **one kilometer** from the eastern, western and southern boundary and up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary up to DND fly over. Instead of The Eco sensitive Zone is the area up to one hundred meters from the eastern, western, and southern boundary and

**Reason**

Earlier, 1 km jurisdiction around a wildlife sanctuary was notified as 'prohibited' area before its amendment to 10 KM. Moreover, Delhi & NCT/ NCR has very few open space or water body which acts as pollution sink other highly polluted few km stretch of River Yamuna. Reducing the eco-sensitive jurisdiction on the East, West & South side of Okhla Bird Sanctuary to a mere 100 meters will bring all commercial activities on the edge of the waterbody, the host of migratory birds & bird sanctuary. Noise, smoke, vehicle horn, waste discharge will drive the birds away. Minimum 1 KM distance is a must. 100 meters jurisdiction of an eco-sensitive zone in NCR with population over 2 crores & numerous developmental activities will prove ineffective.

Regards  
T.K. Kumar  
Sector-62, Noida  
tkkumar29@yahoo.com

This email has been blocked from loading remote images.

Subject: **Comments on draft ESZ Notification for Okhla Bird Sanctuary**

To: esz-mef@nic.in; opkasana@rediffmail.com

Date: 10/15/14 07:24 PM

From: Om Prakash Kasana <opkasana@rediffmail.com>

Comments\_on\_ESZ.doc (38KB)

Dated: 15/10/2014

To:  
The Secretary,  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan, Jor Bag Road, All Gari,  
New Delhi-110003

Sir,

Kindly find enclosed herewith the comments on the above mentioned draft notification for kind consideration and taking necessary action.

With regards,

(OM PRAKASH)  
386, LAXMIBAI NAGAR, ND-23



Get your own [FREE website](#), [FREE domain](#) & [FREE mobile app](#) with Company email. [Know More >](#)

[es2-mef@nic.in](mailto:es2-mef@nic.in)

DIRECTIVE PRINCIPLES OF STATE POLICY

**Article 48A** {Protection and improvement of environment and safeguarding of forests and wild life}{edit}

The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

Part IVA Fundamental Duties

**Article 51A** {Fundamental duties}

g. to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures.

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**COMMENTS ON DRAFT ESZ NOTIFICATION AROUND OKHLA BIRD SANCTUARY (OBS) WHICH INCLUDE U.P. AND DELHI STATES**

As desired, the following are the comments on the draft Notification for declaring ESZ around Okhla Bird Sanctuary in U.P. and Delhi State.

1. Article 48A of DIRECTIVE PRINCIPLES OF STATE POLICY of the Constitution of India put responsibility on the State as "The State shall endeavour to protect and improve the environment and to safeguard the forests and **wild life of the country**". Therefore, the State is bound to "Protection and improvement of environment and safeguarding of Wild life". The Constitution of India, further put responsibility, under Article 51A(g) of Fundamental duties, that every citizen including state, companies etc have "to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures".
2. In view of the above, the very purpose of having a Ecological Sensitive Zone around any Protected area shall be within the ambit of the above provisions of the Constitution of India along with The Wild Life (Protection) Act, 1972 as amended subsequently. But if any clause of W(P) Act contradicts/dilute the provisions of the Constitution that will be *ultra vires*.
3. As far as declaring an Ecologically Sensitive Area (ESZ) around any Protected Area (P.A.) and keeping distance from their boundaries, the distance should be based on scientific studies only and not on keeping any other consideration including Corporate considerations. Failing which the very purpose of ESZ, as mandated under the Constitution, is negated.

4. The draft ESZ proposed for Okhla Bird Sanctuary (OBS) seems to be purely on the consideration of Corporate's interests (Real Estate development) and not on scientific consideration. The following points may clarify it-

(a) On U.P. side - There are several entities around the proposed ESZ of Okhla Bird Sanctuary such as Gautam Budha Park, Film City, Sector 95 ( abutting the OBS boundary) , Sector 38, Sec 94,94 A and other real estate activities, which are disturbing factors and cause of concern for the protection , conservation and development of the Wildlife in this sanctuary.

(b) On Delhi side - There are already a lot of disturbing activities had taken place but further encroachments would deter the efforts of declaring ESZ for OBS.

5 To avoid some of these disturbing factors for protection, conservation and development of Wildlife, as enshrined in the Constitution of India , below mentioned actions may, to some extent, be helpful in achieving the vary purpose of ESZ in protecting and conserving Wildlife in the OBS . These may be-

(i) There shall be no further activities of construction for residential, commercial, industrial purposes in and around OBS up to at least 1 Km from the present boundary of OBS on east, West, South direction. The sectors which have not started any construction or have not done so much construction work in all the sectors, around the OBS, should not be allowed to come up.



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(ii) The activities in the Gautam Budha Park, Children Park shall also be restricted to only non noise creating and non lighting activities.

(iii) The construction of Residential colonies should also be restricted to low floor units only. No high rise dwelling units should be allowed around OBS and within 1 km from boundary of OBS to avoid Noise and lighting disturbances for harbouring wild life in the OBS.

(iv) No developmental activities beyond Kalindi Kunj Road towards Yamuna River and 1 km from OBS boundary on the right side of G.D.Birla Marg, Amrapali Road and down to the barrage road, the western and southern side of OBS.

(v) The Coordinates of OBS and proposed boundaries of ESZ for OBS may be checked again and shall be digitised form.

Dated: 15.10.2014

(OM PRAKASH)

386, LAXMIBAI NAGAR, NEW DELHI-110023

M-9868222550; [opkasana@rediffmail.com](mailto:opkasana@rediffmail.com)

3

7

Subject: **Comments on Draft Notification-S.O.2499(E)-Okhla Bird Sanctuary**  
To: **os2-mef@nic.in**

Date: 10/15/14 06:24 PM  
From: Pinaki <2005.pinaki@gmail.com>

Dated: 15th October 2014

To:  
The Secretary,  
Ministry of Environment, Forest and Climate Change,  
Government of India  
Indira Paryavaran Bhawan,  
Jor Bag Road,  
Ali Ganj, New Delhi-110003

Subject: Comments on Eco-sensitive zone around Okhla Bird Sanctuary (New Delhi: the 24th September, 2014, S.O.2499(E)-draft notification)-regarding.

Dear Sir

Greetings for the season!

This refers to the notification available over website and comments inviting from Public: <http://www.moef.nic.in/content/so2499e-24092014-draft-notification-okhla-eco-sensitive-zone-comments-invited>

Having pursued the notification, the undersigned would like to provide the following comments.

- a. Overall, the draft notification encompasses a comprehensive coverage of critical issues and has given due coverage to major environmental related notifications. It has also mentioned a number of detailed activities considering the specific nature of the Okhla Bird Sanctuary. Hence, it is appreciated.
- b. There may be adverse effect of different kind of lighting on avi-fauna and wild animals used in eco-tourism projects and residential projects. Measures for adequate precaution of protecting them from high mast lights, street lights, high glow lights, and residential lights from current as well as future projects should be incorporated in the final notification. This may be done in consultation with the forests department, officials and Wildlife Institute of India.
- c. The eco-tourism projects under the regulated categories must be capped in overall capacities and/or in size. A suggestion could be to earmark a certain portion of the buffer land in the direction of least interference with biodiversity. This will ensure regulated waste management and minimized environmental impact. The basis for this comment arise from the fact that the sanctuary may in the long term feel the overburden of population and its effects on natural resources.
- d. All projects inside the delineated zone and in the vicinity (1-2 km) may be subjected to a comprehensive environmental assessment every year for compliance to Environmental Protection Act and rules laid thereon including Air, Water and other relevant rules including Biodiversity Act. Such assessment report may be submitted to the Pollution Control Board through online system and may be open for public as a voluntary disclosure.
- e. Groundwater monitoring may be carried out every year by regulatory authorities to monitor the level of extraction and recharge. This is essential for ensuring that in the long term, a net positive effect is created for the area.
- f. A biodiversity impact assessment could be done before delineating the zones, so that conservation plan could be properly drafted for the Okhla Bird Sanctuary.
- g. Biodiversity Act may be applied in the process before taking the final decision before delineating the zones.
- h. There may be a regulation on use of Diesel Generator sets and further it may be mentioned & regulated within the proposed buffer zone and projects in the near vicinity (1-2 km). Even a cluster of Diesel Generator sets could form a cumulative impact.
- i. There may be a clear mention of noise arising from activities such as residential, eco-tourism especially after sunset. Proper guidelines may be drafted and displayed in the buffer zone.
- j. The impact on biodiversity is not just from mining, but also from other activities such as residential, commercial activities such as communication towers, building roads, eco-tourism, etc. The impact of these on the Okhla Bird Sanctuary may be assessed before granting them suitable status in the Table for prohibited or to be regulated within the Eco-sensitive Zone.
- k. Under Point 5, State Level Eco-sensitive Zone Monitoring Committee and clause (iv) The SESZMC may invite

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representatives or experts from concerned Departments, representatives from Industry Associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis. There may be a provision for including members of Non-Government Organisations, International Organisations and civil society members in deliberations.

Sincerely hope that the above comments would be productive in drafting the final notification

Regards

**Pinaki Dasgupta**  
Environmental & Climate Change Activist & Consultant  
102, Second Floor, Kalkaji, New Delhi-110019

Contact to skype: pinakidelhi  
Follow me on: <http://twitter.com/pinakidelhi>

*"Where the mind is without fear and the head is held high  
Where knowledge is free  
Where the world has not been broken up into fragments  
By narrow domestic walls"*

56. Rabindranath Tagore

(51)

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Subject: Suggestion on Okhla Eco-Sensitive Zone Draft Notification -no. Ref.: S.O 2499(E) DT.24.9.2014  
To: esz-me1@nic.in

Date: 10/18/14 11:24 PM  
From: DEEPAK SINHA <deepaksinha0208@gmail.com>

The Secretary,  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan, Jor Bag Road,  
Ali Ganj, New Delhi-110003

Sir,

I am a salaried employee and one of the affected person, having invested my hard earned money in booking a residential flat in Noida. With reference to the above cited draft notification, I wish to offer my comments in the paragraph below

With the rapid rise in population of our country, the natural habitat of animals viz forest area and other eco-sensitive zones are being encroached. Human being, in pursuit of their development has exploited nature to a great extent. Thus the initiative taken by the some of the environmental protection right group and the NGT to get the area within 10 kms radius around the Okhla Bird sanctuary as an Eco-sensitive zone (ESZ), in absence of any Central Government Notification, is laudable

While it is needless to stress the importance of leaving a wide area for the flora and fauna, all the stake holders have to also understand the ramification of declaring an area of 10 kms around the sanctuary as no construction zone at such belated stage when the Government of UP & Delhi has allowed construction of residential and commercial properties since many years

An area of 10 kms radius means half of the Noida city would fall within ESZ. Noida is one of the city in Delhi NCR where thousands of crore is invested by the buyers and builders and approximately 100000 residential units and many commercial property are likely to be delivered to the buyers in next few months. Most of the buyers are salaried employees like us who have invested their life time savings as well as paying huge sum towards EMI against borrowed funds. Had the issue of Okhla ESZ arose few years back i.e before commencement of the construction of these projects then we would have never taken the risk of putting our life time savings in Noida. In fact, the State Government should have never allowed builders to commence construction without all environmental clearances. The builders are also likely to lose their money. The Government would lose revenue being generated property registration. This will also invite innumerable litigations against the government and builders which may bring entire State Government and NOIDA authority functioning to a standstill. So it would be a loss situation for all

For the situation of uncertainty as prevailing in Noida today, the State Governments are more to blame for woes of innocent people due to their lack of vision and planning. So at this stage, an area upto 100 meter from the eastern, western and southern boundary and an area upto 1.27 kms from the northern boundary of the sanctuary in UP as SEZ as proposed in the draft notification dt 24.9.2014 seems to a rational and practical proposal. Further delay in issue of proposed notification would put buyers in lurch and unbearable financial losses

So keeping in view larger public interest, the proposed notification may be issued at the earliest without any ammendment

Yours faithfully

Deepak Sinha  
FCI flat no.131, sector 15A, Noida  
Mobile-9650958950

(50)

Date: 11/25/14

**Objections - Suggestions Re ESZ Notification for Okhla Bird Sanctuary**

Date: 11/25/14 05:31 PM  
From: Anand Arya, anandswarnapuri@gmail.com

To: estmet@nic.in  
CC: SECY, MOEF <secy-moef@nic.in>

Wed 27 Nov 2014

Ministry  
of Environment, Forest and Climate Change  
New Delhi 110003

**Sub: Eco-Sensitive Zone Notification For Okhla Bird Sanctuary**

Re: to Gazette Notification, S.O. 2499(E) dated 24th September 2014 by Ministry of Environment, Forest and Climate Change regarding Notification of Eco-Sensitive Zone for Okhla Bird Sanctuary (OBS) located in the National Capital Region (NCR) at the confluence of the river Yamuna leaves the territory of National Capital Territory of Delhi (NCT) and enter the State of Uttar Pradesh.

Notification designating the boundaries of Eco-Sensitive Zone (ESZ) for OBS is VOID AB INITIO and bad in law on the following grounds and our OBJECTIONS be taken on record and for consideration when the ESZ is finally notified. The ESZ has to be 10 KM area around the OBS.

**OBJECTIONS are**

1. Notification is in Violation of the provisions of the EIA Notification that mandates A PRIOR CLEARANCE OF PROJECTS within a 10 Km area of not only a Sanctuary/National Park but also of A State Boundary as also of A Critically Polluted Area (so declared by Pollution Control Board and Yamuna River in Delhi has been so declared). A 10 Km area has therefore to declared as ESZ for a 10 Km area situated on the Boundary of Two States/UT and on a Critically Polluted Area.

2. The deadline for submission of proposal for ESZ had expired on 15th July 2013 vide MOEF F. No. 1.9/2007-WI (Dated 31 July 2013) which in the Nature of a Notification as this was issued WITH THE APPROVAL OF COMPLIANT AUTHORITY. This letter only states that proposals in respect of about 450 Protected Areas (PA) had been received in the Ministry. This letter further very clearly states that default area of 10 KMS from the boundary will be the ESZ of such PAs for which proposals have not been forwarded till 15th July.

3. It is established that OBS was not in the list of PAs for which the proposals had been received by MOEF before the UEAOP/INC of 15th July 2013.

4. The 10 Km area from the boundary of OBS has therefore necessarily become the ESZ for OBS on 16th July 2013 and this Notification is void ab initio.

5. The Government had forfeited the right to propose an ESZ for OBS on 16th July 2013.

6. The Government also forfeited any right to entertain any proposal received subsequent to 15th July 2013. MOEF is prevented from going back on its decisions otherwise the Governance has no meaning and nothing will ever get done if the deadlines are extended for ever reason.

7. The determination of boundaries of ESZ for OBS is known to be based on a report submitted by Wildlife Institute of India (WII). The report had no substance as it does not deal with and take in to account the impact of NOISE and LIGHTS and TRAFFIC DENSITY that affect the BIRD LIFE IN OBS should the area of ESZ be restricted to 100 Meters on East, South and West boundaries of OBS and 200 Meters on the North Boundary of OBS.

8. The Government has to take in to account and deal with the known 'FLYWAY FOR MIGRATORY BIRDS' that Yamuna River is and the ESZ area on South and North side of OBS therefore cannot be restricted to 100 Meters and 200 Meters respectively.

9. The determination of boundaries of ESZ for OBS is also in violation of ORDERS OF HONBLE SUPREME COURT OF INDIA dated 28th of 2008 in Writ Petition (Civil) No. 202 of 1995 of December 3, 2010 wherein the Protected Area of OBS on the North side was increased to include the area between the Weir Bund and DND. The area of ESZ has to be beyond the boundaries and not the boundaries itself.

10. We have an opportunity to personally present and submit our objections to the Notification of ESZ for OBS.

11. We request you to give time and date for this presentation.

Yours faithfully,

Anand Arya, anandswarnapuri@gmail.com

24.11.2014



Section 15A  
DA 2013/1  
Dt: 09/12/2013

- ✓ Dinesh Singh (9810724630)
- ✓ Soma Jha
- ✓ Manoj Gupta (9810134240)
- ✓ Ann Mathew (9868399272)
- ✓ Anshu Dixit (9868181070)
- ✓ Debjani Sengupta
- ✓ Piyush Saha
- ✓ Sonvika Goyal
- ✓ Anshu Sharma (9818954933)
- ✓ K. K. Khanna (9810152442)
- ✓ Anand Parashar (9810872526)
- ✓ Mohan Nadarajan (9868506805)
- ✓ P. L. Singh (8130111589)
- ✓ Aneta Venkataranian (9350916857)
- ✓ Wing Commander Vijay Sethi (9810134504)
- ✓ Gurukul Jain (9871760814)
- ✓ Malay Barua (9954044988)
- ✓ Anshu Gupta (9810234829)

Full fledged copy is being sent to Secretary, MOEF, Per Speed Post

(48)

3<sup>rd</sup> December 2014

The Secretary,  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan, Jor Bag Road,  
All Ganj, New Delhi-110003.

**Subject: Draft Notification SO 2499(E) of Ministry of Environment, Forests and Climate Change dated 24.09.2014 on Eco-sensitive Zone around Okhla Bird Sanctuary.**

Dear Sir,

We welcome the above referred draft Notification vide which Ministry of Environment, Forests and Climate Change has proposed to conserve and protect the area up to 100 meter from the eastern, western and southern boundary and up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary as an Eco-sensitive Zone from ecological and environmental point of view and to prohibit any commercial mining activities within one kilometer area from the eastern, western and southern boundary and within 1.27 kilometers area from the northern boundary of the Okhla Bird Sanctuary.

We believe the proposal is well balanced which takes into consideration the protection of environment as well as social development. It upholds the interest of all stake holders / investors who have invested huge money for the development of Residential as well as Commercial properties and we also believe the Notification will act as catalyst in promotion of sustainable growth of the region.

We propose to adopt the following mitigation measures to conserve the migrant bird flying to and fro the Sanctuary:

- 1) To minimize the use of bright interior lights during migration season.
- 2) Promote dimming of exterior building lights during late night hours.
- 3) Promote lesser use of glass in the building façade so as to minimize the reflection of light during day and night.

Therefore, keeping in view larger public interest the draft Notification may please be formally released after incorporating the above referred suggestions.

Thanking you,

Yours faithfully,

Rohit Mishra  
401, Sector-9A,  
Urban Estates,  
Gurgaon - 122001

15/12/14  
5/12/14

Adviser (SVS)  
Dr. No. 12/14/14  
Date: 5/12/14

18. August 2014  
5/12/14

(47)

(13)

November 23, 2014

12421K  
21/12/14

The Secretary  
Ministry of Environment, Forest and Climate Change  
New Delhi 110003

Sir,

to CGKS

Sub: Eco-Sensitive Zone Notification  
For Okhla Bird Sanctuary

*[Handwritten signature]*  
29/11/14

This refers to Gazette Notification, S.O.2499(E) dated 24<sup>th</sup> September 2014 by Ministry of Environment, Forest and Climate Change (MOEF) regarding Notification of Eco-Sensitive Zone for Okhla Bird Sanctuary (OBS) located in the National Capital Region (NCR) at the point where the river Yamuna leaves the territory of National Capital Territory of Delhi (NCT) and enter the State of Uttar Pradesh.

7/16/14  
11/12/14

23/11  
10/11/14  
2/12/14  
2/12/14  
JTB/AMK

The Notification designating the boundaries of Eco-Sensitive Zone (ESZ) for OBS is VOID AB INITIO and bad in law on the following grounds and our OBJECTIONS be taken on record and for consideration when the ESZ is finally notified. **The ESZ has to be 10 KM area on four sides of the OBS.**

11/11/14  
7/11/14

Our OBJECTIONS are:

1. This notification is in Violation of the provisions of the EIA Notification that mandates **A PRIOR CLEARANCE OF PROJECTs** with in a 10 KM area of not only a Sanctuary/National Park but also of 'A State Boundary' as also of 'A Critically Polluted Area (so declared by Central Pollution Control Board and Yamuna River in Delhi has been so declared). A 10 Km area has therefore to declared as ESZ for OBS as this is situated on the Boundary of Two States/UT and on a Critically Polluted Area
- 2 The time for submission of proposal for ESZ had expired on 15<sup>th</sup> July 2013 vide MOEF F. No. 1-9/2007-WL-I Dated 31 July 2013. This letter is in the Nature of a Notification as this was

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2/11/14

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22/12/14

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file.  
26/11/14  
9/12/14  
[RE]



issued WITH THE APPROVAL OF COMPETENT AUTHORITY. This Letter very clearly states that proposals in respect of about 450 Protected Areas (PA) had been received in the Ministry. This letter further very clearly states that a default area of 10 KMs from the boundary will be the ESZ of such PAs for which proposals have not been forwarded till 15<sup>th</sup> July 2013.

It is reminded that OBS was not in the list of PAs for which the proposals had been received by MOEF before the DEADLINE of 15<sup>th</sup> July 2013.

**A 10 KM area from the boundary of OBS has, therefore, necessarily become the ESZ for OBS on 16<sup>th</sup> July 2013 and this Notification is therefore Void ab initio.**

Uttar Pradesh Government had forfeited the right to propose an ESZ for OBS  
On 16<sup>th</sup> July 2013.

MOEF had also forfeited any right to entertain any proposal received subsequent to 15<sup>th</sup> July 2013. MOEF is prevented from going back on its on decisions otherwise the Governance has no meaning and nothing will ever get done if the deadlines are extended for one reason or the other.

- 3 The determination of boundaries of ESZ for OBS is known to be based on a report submitted by Wildlife Institute of India (WII). This report is bad in substance as it does not deal with and take in to account the impact of NOISE and LIGHTs and TRAFFIC DENSITY that would affect the BIRD LIFE IN OBS should the area of ESZ be restricted to 100 Meters on East, South and West boundaries of OBS and 1.27 KMS on the North Boundary of OBS.

Further, the WII fails to take in to account and deal with the known 'FLYWAY FOR MIGRATORY BIRDS' that Yamuna River is and therefore – the ESZ area on South and North side of OBS, therefore, cannot be restricted to 100 Meters and 1.27 KMs respectively.

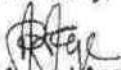
- 4 The determination of boundaries of ESZ for OBS is also in violation of ORDERS OF HON'BLE SUPREME COURT OF INDIA in ( I.A. Nos. 2609-210 of 2009 in Writ Petition (Civil) No.

202 of 1995) of December 3, 2010 wherein the Protected Area of OBS on the North side is to be increased to include the area between the Weir Bund and DND. The area of ESZ has to be beyond the boundaries and not the boundary itself.

We would like an opportunity to personally present and submit our objections to the Notification of ESZ for OBS.

May kindly grant time and date for this presentation.

Sincerely,

  
Anand Arya  
353, Sector 15A  
NOIDA 201301  
(Ph: 09818261909)

2. Dinesh Singhal (9810724630)
3. Soma Jha
4. Manoj Gupta (9810134240)
5. Ann Mathew (9868399272)
6. Vineeta Dixit (9868181070)
7. Debjani Sengupta
8. Ritwik Saha
9. Somesh Goyal
10. Anubhuti Sharma (9818954933)
11. K. K. Khanna (9810152442)
12. Yogesh Parashar (9810872526)
13. Mohan Nagrajan (9868506805)
14. J. L. Singh (8130111589)
15. Geeta Venkataraman (9350916857)
16. Wing Commander Vijay Sethi (9810134504)
17. Sonika Jain (9871760814)
18. Moloy Baruha (9954044986)
19. V. K. Gupta (9810234829)

P. S.

Signed subsequent to sending the e-mail on 23<sup>rd</sup> November 2014

20. Anita Mani
21. Sumukar Ranganathan

(44)

December 04, 2014

The Secretary,  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan, Jor Bag Road,  
Ali Ganj, New Delhi-110003.

Subject: **Draft Notification SO 2499(E) of Ministry of Environment, Forests and Climate Change dated 24.09.2014 on Eco-sensitive Zone around Okhla Bird Sanctuary.**

Dear Sir,

The above mentioned draft Notification vide which Ministry of Environment, Forests and Climate Change has proposed 100 meter from the eastern, western and southern boundary and up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary as an Eco-sensitive Zone within which the construction activities may be prohibited.

We are thankful to the MoEF who after due deliberation and considering various other salient facts pertaining to sustainable development of the area by giving suitable environmental protection has declared the said Eco-sensitive Zone and we hope while considering the same, the MoEF might have considered the other Bird Sanctuaries / Parks situated in NCR such as Sultanpur in Gurgaon where the Eco-sensitive Zone has been declared as 500 metre which seems to be on higher side from development angle and has become bottlenecks in the growth of area adjoining to Sultanpur. Therefore, 100 metre and 1.27 kilometers Eco-sensitive Zone as proposed around Okhla Bird Sanctuary is a positive step from development point of view as well as in the larger interest of the public who have invested huge money.

However, if need be, mitigation measures to conserve the environment simultaneous to the development of the area must be adopted by the Developers who are developing number of Residential, Commercial properties near Okhla Bird Sanctuary. An earlier release of final formal Notification shall be highly appreciated.

Regards,

Dhrub Gautam  
517/16A,  
Faridabad-121002

Handwritten signature  
Stamp: JWS (SVS)  
Dy. Secy, 1225  
Date: 05-12-2014

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10-12-14  
8-15/16A/16A  
10-12-14

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MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 24th September, 2014

S.O.2499(E).—The following draft of the notification, which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette of India containing this notification are made available to the Public;

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bag Road, Ali Ganj, New Delhi-110003, or at e-mail address:- esz-mef@nic.in

Draft Notification

Whereas, Okhla Bird Sanctuary is located in the National Capital Region (NCR) at the point where the river Yamuna leaves the territory of the National Capital Territory of Delhi (NCT) and enters the State of Uttar Pradesh.

And whereas, the boundaries of Okhla Bird Sanctuary are as follows:-

North: The Okhla Weir and Okhla Weir Bund forms the Northern boundary of the Sanctuary. River Yamuna and Hindon Cut enter the Sanctuary from the section close to DND flyover but there is no entry to the flyover from this side;

South: The Okhla barrage Tie Bund, Amrapali Marg (a road that connects Delhi and Noida) and Shahdara drains forms the Southern boundary. Most of this boundary is fenced;

East: Left afflux bund forms the Eastern boundary. The left afflux Bund is the dyke that prevents water from entering the nearby areas. It is 2.5 kilometers long and is used as a road;

West: The right Marginal Bund forms the western boundary of the sanctuary. This bund is protected partly by a fence and partly by a wall.

And whereas, the Okhla Bird Sanctuary is known for its aquatic habitat of large number and variety of migratory and resident birds (about 324 species of about 6000 birds) have been listed during winters. Important birds visit the sanctuary includes different species of Cormorants, Herons, Egrets, Darter, Koot, Ducks, etc;

And whereas, it is necessary to conserve and protect the area around the Sanctuary and to propagate improvement of and develop the different species of birds therein and its environment;

And whereas, it has become necessary to conserve and protect the area up to one hundred meter from the eastern, western and southern boundary and up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary as an Eco-sensitive Zone from ecological and environmental point of view and to prohibit any commercial mining activities within one kilometer area from the eastern, western and southern boundary and within 1.27 kilometers area from the northern boundary of the Okhla Bird Sanctuary.

Now, therefore, in exercise of the powers conferred by sub-section (1), clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area up to one hundred meter from the eastern, western and southern boundary and an area up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary in the State of Uttar Pradesh and the National Capital Territory of Delhi (NCT), as the Eco-sensitive Zone (hereinafter called as the Eco-sensitive Zone), details of which are as under, namely:-

1. **Extent and boundaries of Eco-sensitive Zone.**-(1) The extent of Eco-sensitive Zone ranges from 100 meters to 1.27 kilometers from the boundary of the Okhla Bird Sanctuary in the district of Gautam Budh Nagar of Uttar Pradesh and South East District of the National Capital Territory of Delhi (NCT).

(2) The Eco-sensitive Zone is the area up to one hundred meter from the eastern, western and southern boundary and up to 1.27 kilometers from the northern boundary of the Okhla Bird Sanctuary up to DND fly over across the river bed, situated in Gautam Budh Nagar district of Uttar Pradesh and South East district of N.C.T. Delhi.

(3) The map of the Eco-sensitive Zone around Okhla Bird Sanctuary is appended to this notification as **Annexure I.**

- (4) The coordinates showing prominent points of the outer boundary of Eco-sensitive Zone is appended to this notification as **Annexure-II**.
- (5) The list of 10 Urban Areas or villages falling within the Eco-sensitive Zone alongwith their longitudes and latitudes at prominent points are appended to this notification as **Annexure III**:

Provided that the Annexure III shall be subject to confirmation by the State Governments in the respective Zonal Master Plans of the Eco-Sensitive Zone.

**2. Zonal Master Plan for the Eco-sensitive Zone.-** (1)The State Governments shall, for the purpose of effective management of the Eco-sensitive Zone, prepare a Zonal Master Plan with respect to their States, within a period of two years from the date of publication of this notification in the Official Gazette, for the consideration and approval of the Central Government in the Ministry of Environment, Forests and Climate Change, in consultation with the local people and with the following concerned State Departments, namely:-

- (i) Forest, Environment and Wildlife Management;
- (ii) Uttar Pradesh / Delhi Police;
- (iii) Urban Housing Development;
- (iv) Tourism;
- (v) Rural Management and Development;
- (vi) Irrigation and Flood Control;
- (vii) Public Works Department / Central Public Works Department ;
- (viii) Land Revenue; and
- (ix) Disaster Management.

(2) The Zonal Master Plan shall provide for restoration of degraded areas, conservation of existing water bodies, management of catchment areas, watershed management, ground water management, soil and moisture conservation, needs of local community and such other aspects of ecology and environment that need attention.

(3) The Zonal Master Plan shall demarcate all the existing and proposed urban settlements, village settlements, types and kinds of forest, agriculture areas, horticultural areas, lakes, other water bodies and entrepreneurial units.

(4) The Zonal Master Plan shall contain the measures as may be specified by the Central Government or the State Government, for regulation of activities specified under column (2) of the table specified in paragraph 4.

(5) The Zonal Master Plan so prepared shall be co-terminus with the regional development plan.

3. **Measures to be taken by State Government.-**The State Governments shall take the following measures for giving effect to the provisions of this notification, namely:-

(1) **Land Use.-**Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or industrial related development activities:

Provided that the conversion of agricultural lands within the Eco-sensitive Zone may be permitted on the recommendation of the State Level Eco-sensitive Zone Monitoring Committee (SESZMC), and with the prior approval of the State Government, to meet the residential needs of the local residents, and for the activities listed at item numbers 13 and 28 specified under column (2) of the table in paragraph 4, namely:-

- (i) Rainwater harvesting, and
- (ii) Security Forces Camp:

Provided further that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of SESZMC, only once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forests and Climate Change:

Provided also that the above correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

(2) **Tourism.-** The activity relating to tourism within the Eco-sensitive Zone which shall form part of the Zonal Master Plan shall be as under, namely:-

(i) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forests and Climate Change and the Ministry of Tourism and by the National Tiger Conservation Authority, with emphasis on eco-tourism, eco-education and eco-development and based on carrying capacity study of the Eco-sensitive Zone;

(ii) new construction of any kind shall not be allowed within the Eco-sensitive Zone.

(iii) till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the SESZMC.



(3) **Natural heritage.**-All sites of valuable natural heritage in the Eco-sensitive Zone such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and be preserved and proper plan be drawn up for their protection and conservation, within six months from the date of publication of this notification and such plans shall form part of the Zonal Master Plan.

(4) **Noise pollution.**- The Environment Department or the State Forest Department of Uttar Pradesh / NCT of Delhi shall draw up guidelines and regulations for the control of noise pollution in the Eco-sensitive Zone in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981(14 of 1981).

(5) **Air pollution.**-The Environment Department or the State Forest Department of Uttar Pradesh / NCT of Delhi shall draw up guidelines and regulations for the control of air pollution in the Eco-sensitive Zone in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

(6) **Discharge of effluents.**- The discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974(6 of 1974).

(7) **Solid wastes.** - Disposal of solid wastes shall be as under:-

(i) The solid waste disposal in Eco-sensitive Zone shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 published by the Government of India in the Ministry of Environment, Forests and Climate Change *vide* notification number S.O. 908 (E), dated the 25<sup>th</sup> September 2000;

(ii) the local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components;

(iii) the biodegradable material shall be recycled preferably through composting or vermiculture;

(iv) the inorganic material shall be disposed of in an environmentally acceptable manner.

(8) **Bio-medical waste.**-The bio-medical waste disposal in the Eco-sensitive Zone shall be carried out as per the provisions of the Bio-Medical Waste (Management and Handling) Rules, 1998 published by the Government of India in the Ministry of Environment, Forests and Climate Change *vide* Notification number S.O. 630(E), dated the 20<sup>th</sup> July, 1998.

(9) **Vehicular traffic.** - The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal master plan is prepared and approved by the Ministry of Environment, Forests and Climate Change, SESZMC shall monitor compliance of vehicular movement as per the rules and regulations in force.

4. **List of activities prohibited or to be regulated within the Eco-sensitive Zone.**-All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and be regulated in the manner specified in the Table below, namely:-

TABLE

Sl. No.	Activity	Prohibited	Regulated	Permitted	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	Commercial Mining, stone quarrying and crushing units.	Yes	-	-	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units are prohibited except for the domestic needs of <i>bona fide</i> local residents.  (b) The mining operations shall strictly be in accordance to the orders of the Hon'ble Supreme Court dated 04.08.2006 in the matter of T.N.GodavarmanThirumulpad Vs. UOI in W.P.(C) No.202

					<p>trees on the forest land or Government or revenue or private lands without prior permission of the competent authority in the State Government.</p> <p>(b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.</p>
3.	Setting up of saw mills.	Yes	-	-	
4.	Setting up of industries causing water or air or soil or noise pollution.	Yes	-	-	No new or expansion of existing polluting industries shall be permitted within the Eco-sensitive Zone.
5.	Use or production of any hazardous substances.	Yes	-	-	
6.	Commercial establishment of hotels and resorts.	Yes	-	-	No new or expansion of existing commercial establishments such as hotels and resorts shall be permitted within the Eco-sensitive Zone.
7.	Commercial use of firewood.	Yes	-	-	
8.	Drastic change of agriculture system	-	Yes	-	
9.	Commercial water resources including ground water harvesting.	-	Yes	-	<p>(a) The extraction of surface water and ground water shall be allowed only for <i>bona fide</i> agricultural use and domestic consumption of the occupier of the land.</p> <p>(b) The extraction of surface water and ground water for industrial or commercial use including the amount that can be extracted, shall require prior written permission from the concerned Regulatory Authority.</p> <p>(c) No sale of surface water or ground water shall be permitted.</p> <p>(d) Steps shall be taken to prevent contamination or pollution of water from any source including agriculture.</p>
10.	Establishment of new major hydroelectric projects.	Yes	-	-	
11.	Erection of electrical cables and telecommunication towers.	-	Yes	-	Promote underground cabling.
12.	Ongoing agriculture and horticulture practices by	-	-	Yes	Excessive expansion of some of these activities should

(34)

14.	Fencing of existing premises of hotels and lodges.	-	Yes	-	
15.	Vegetative fencing			Yes	
16.	Organic farming.	-	-	Yes	Shall be actively promoted.
17.	Widening and strengthening of existing roads and construction of new roads.	-	Yes	-	Shall be done with proper Environment Impact Assessment and mitigation measures, as applicable.
18.	Movement of vehicular traffic at night.	-	Yes	-	For commercial purpose.
19.	Introduction of exotic species.	-	Yes	-	
20.	Undertaking activities related to tourism like over-flying the sanctuary area by hot-air balloons, etc.	-	Yes	-	
21.	Protection of hill slopes and river banks.	-	Yes	-	
22.	Discharge of untreated effluents and solid waste in natural water bodies or land area.	Yes	-	-	
23.	Discharge of treated effluents in natural water bodies or land area.	-	Yes	-	Recycling of treated effluent shall be encouraged and for disposal of sludge or solid wastes, the existing regulations shall be followed.
24.	Commercial Sign boards and hoardings.	-	Yes	-	
25.	Adoption of green technology for all activities.	-	-	Yes	Shall be actively promoted.
26.	New wood based industry.	Yes	-	-	No establishment of new wood based industry shall be permitted within the Eco-sensitive Zone.
27.	Construction activities	Yes	-	-	No new construction of any kind shall be allowed within the Eco-sensitive Zone, except for the domestic needs of local residents including the activities listed at item numbers 12, and 28.
28.	Security Forces Camp		Yes		
29.	Use of plastic carry bags.	Yes	-	-	

5. **State Level Eco-sensitive Zone Monitoring Committee.**- (1) The Central Government for effective monitoring of the Eco-sensitive Zone, hereby constitutes a Committee each for the State of Uttar Pradesh and for the NCT of Delhi to be called the State Level Eco-sensitive Zone Monitoring Committee (SESZMC), as under:-

**A. State Level Eco-sensitive Zone Monitoring Committee (SESZMC) for the State of Uttar Pradesh comprising of the following members, namely:-**

- (i) Chief Secretary to the Government of Uttar Pradesh- Chairman;
- (ii) Chief Wildlife Warden, Government of Uttar Pradesh - Member;
- (iii) Representative of the Ministry of Environment, Forests and Climate Change -Member;



(38)

- (iv) Member Secretary, Uttar Pradesh State Pollution Control Board-Member;
- (v) Member Secretary, Central Pollution Control Board, East Arjun Nagar, Delhi -Member;
- (vi) One representative of Non-Governmental Organisation working in the field of environment- Member;
- (vii) One subject expert in the field of Ecology and Environment- Member;
- (viii) Principal Secretary, Environment and Forests, Government of Uttar Pradesh – Member;
- (ix) Principal Secretary Revenue Department, Government of Uttar Pradesh – Member;
- (x) Principal Secretary Housing and Urban Planning Department, Government of Uttar Pradesh – Member;
- (xi) Principal Secretary Agriculture Department, Government of Uttar Pradesh – Member;
- (xii) Principal Secretary, Department of Irrigation, Government of Uttar Pradesh – Member;
- (xiii) Concerned District Collector -Member;
- (xiv) Concerned Divisional Forest Officer – Member;
- (xv) Principal Chief Conservator of Forest (Wildlife), Government of Uttar Pradesh – Member Secretary.

**B. State Level Eco-sensitive Zone Monitoring Committee (SESZMC) for NCT Delhi comprising of the following members, namely:-**

- (i) Chief Secretary to the Government of NCT of Delhi- Chairman;
  - (ii) Chief Wildlife Warden, Government of NCT of Delhi - Member;
  - (iii) Representative of the Ministry of Environment, Forests and Climate Change –Member;
  - (iv) Member Secretary, Delhi Pollution Control Committee-Member;
  - (v) Member Secretary, Central Pollution Control Board, East Arjun Nagar, Delhi -Member;
  - (vi) One representative of Non-Governmental Organisation working in the field of environment – Member;
  - (vii) One subject expert in the field of Ecology and Environment- Member;
  - (viii) Principal Secretary, Environment and Forests, Government of NCT of Delhi – Member;
  - (ix) Principal Secretary Revenue Department, Government of NCT of Delhi – Member;
  - (x) Principal Secretary Housing and Urban Planning Department, Government of NCT of Delhi – Member;
  - (xi) Principal Secretary Agriculture Department, Government of NCT of Delhi – Member;
  - (xii) Principal Secretary, Department of Irrigation, Government of NCT of Delhi – Member;
  - (xiii) Concerned District Collector -Member;
  - (xiv) Concerned Divisional Forest Officer – Member;
  - (xv) Principal Chief Conservator of Forest (Wildlife), Government of NCT of Delhi – Member Secretary.
- (2) The SESZMC shall monitor the compliance of the provisions of this notification.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006, and are falling in the Eco-sensitive Zone, except the prohibited activities as specified in column(3) of the Table under paragraph 4 thereof, shall be scrutinised by the SESZMC based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forests and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 but are falling in the Eco-sensitive Zone, except the prohibited activities as specified in column(3) of the Table under paragraph 4 thereof, shall be scrutinised by the SESZMC based on the actual site-specific conditions and referred to the concerned Regulatory Authorities.
- (5) The Member Secretary of the SESZMC or the concerned Collector or the concerned park in-charge shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 against any person who contravenes the provisions of this notification.
- (6) The SESZMC may invite representatives or experts from concerned Departments, representatives from Industry Associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
- (7) The State Level Eco-sensitive Zone Monitoring Committee shall submit the annual action taken report of its activities as on 31<sup>st</sup> March of every year by 30<sup>th</sup> June of that year to the Central Government in the Ministry of Environment, Forests and Climate Change as per pro forma given in **Annexure IV**.
- (8) The Central Government in the Ministry of Environment, Forests and Climate Change may give such directions, as it deems fit, to the SESZMC for effective discharge of its functions.
6. The provisions of this Notification are subject to the orders, if any, passed, or to be passed, by the Hon'ble Supreme Court of India or the High Court or National Green Tribunal (NGT).

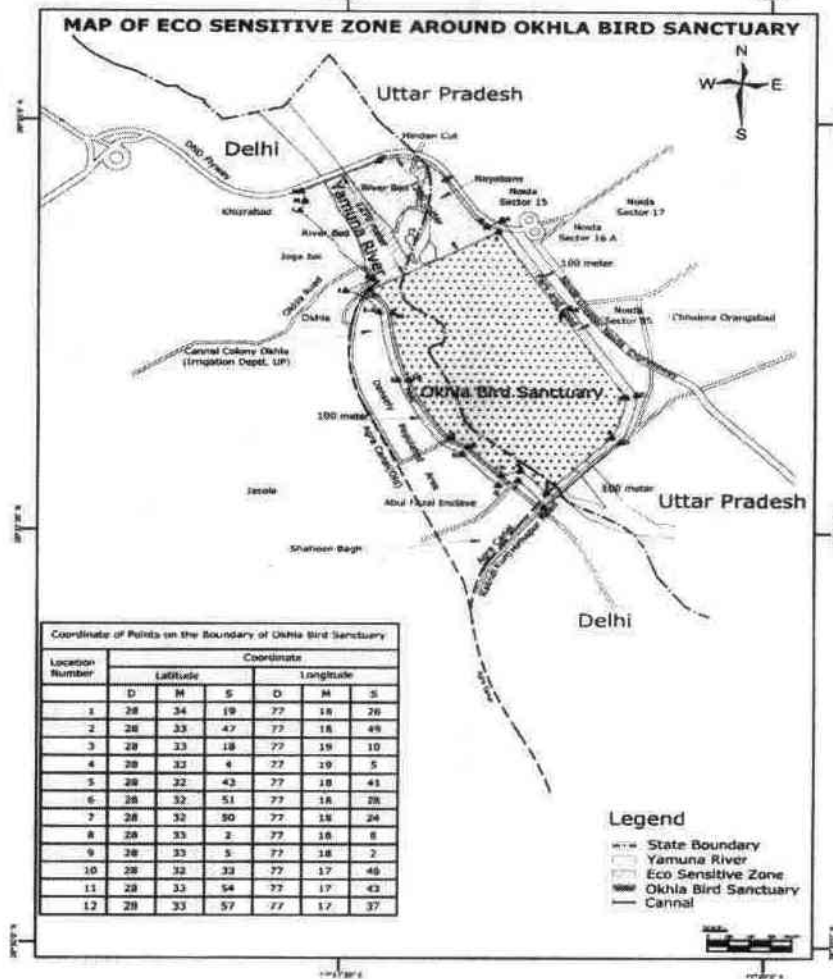
[F. No. 25/20/2014-ESZ/RE]

Dr. G.V. SUBRAHMANYAM, Scientist 'G'

**Annexure I**  
**Map of Eco-sensitive Zone boundary around Okhla Bird Sanctuary, National Capital Region (NCR) together with its latitudes and longitude of extremes and extent.**

Annexure A

Map of Eco-Sensitive Zone boundary together with its latitudes and longitude of extremes and extent.



## Annexure II

Coordinates showing prominent points of the outer boundary of Eco-sensitive Zone around Okhla Bird Sanctuary, Uttar Pradesh and NCT of Delhi.

S. No.	Point	Latitude			Longitude		
		D	M	S	D	M	S
1	A	28	34	24	77	18	27
2	B	28	33	51	77	18	50
3	C	28	33	18	77	19	13
4	D	28	33	1	77	19	7
5	E	28	32	38	77	18	40
6	F	28	32	48	77	18	31
7	G	28	32	46	77	18	22
8	H	28	32	59	77	18	6
9	I	28	33	26	77	17	45
10	J	28	33	59	77	17	34
11	K	28	34	2	77	17	41
12	L	28	34	28	77	17	15
13	M	28	34	32	77	17	17
14	N	28	34	35	77	17	16
15	O	28	34	46	77	17	44
16	P	28	34	38	77	18	7
17	Q	28	34	21	77	18	21

## Annexure III

List of Urban Area / Villages falling within the proposed Eco-sensitive Zone of Okhla Bird Sanctuary, Uttar Pradesh and NCT of Delhi.

S. No.	States	Name of Urban Area/ Village	Point	Latitude			Longitude			Tehsil	District
				D	M	S	D	M	S		
1.	U.P.	Sector-95, NOIDA	B	28	33	51	77	18	50	Dadri	GautamBudh Nagar
2.	U.P.	Chhalera Orangabad	C	28	33	18	77	19	13	Dadri	GautamBudh Nagar
3.	U.P.	Nayabans	P	28	34	38	77	18	7	Dadri	GautamBudh Nagar
4.	Delhi	Shaheen Bagh	G	28	32	46	77	18	22	Mehrauli	South East Delhi
5.	Delhi	Jasola	H	28	32	59	77	18	6	Mehrauli	South East Delhi
6.	Delhi	AbulFazal Enclave	I	28	33	26	77	17	45	Mehrauli	South East Delhi
7.	Delhi	Okhla	J	28	33	59	77	17	34	Mehrauli	South East Delhi
8.	Delhi	Canal Colony, U.P. Irrigation Deptt.	I-A	28	33	54	77	17	35	Mehrauli	South East Delhi
9.	Delhi	JogaBai	K	28	34	2	77	17	41	Mehrauli	South East Delhi
10.	Delhi	Khizrabad	L	28	34	28	77	17	15	Mehrauli	South East Delhi

## Annexure IV

**Proforma of Action Taken Report: - State Level Eco-sensitive Zone Monitoring Committee.-**

1. Number and data of Meetings.
2. Minutes of the meetings: Mention main not worthy points. Attached Minutes of the meeting on separate Annexure.
3. Status of preparation of Zonal Master Plan including Tourism Master Plan (Eco-sensitive Zone wise).
4. Summary of cases dealt for rectification of error apparent on face of land record. (Eco-sensitive Zone wise). Details may be attached as Annexure.
5. Summary of cases scrutinized for activities covered under EIA Notifications, 2006 (Eco-sensitive Zone wise). Details may be attached as separate Annexure.
6. Summary of case scrutinized for activities not covered under EIA Notification, 2006 (Eco-sensitive Zone wise). Details may be attached as separate Annexure.
7. Summary of complaints lodged under Section 19 of Environment (Protection) Act, 1986. (Eco-sensitive Zone wise).
8. Any other matter of importance.

(33) (529)

Annexure-IV

F. No. 10-1/2014 WL (pt)  
Government of India  
Ministry of Environment and Forests  
Wildlife Division

Indira Paryavaran Bhawan  
Jor Bag, New Delhi  
Dated: 11<sup>th</sup> June 2014

**Sub: Summary record of discussions of the meeting on Eco-sensitive zone around Okhla Bird Sanctuary held on 9<sup>th</sup> June 2014 .**

Please find enclosed a copy of the summary record of discussions of the meeting held on 9<sup>th</sup> June 2014 the chairmanship of the Secretary (Environment and Forests), regarding eco-sensitive zone around Okhla Bird Sanctuary.

*Chaitanya Murti*  
(Chaitanya Murti)  
Joint Director (WL)

Encl: As above.

**Distribution:**

1. The Principal Secretary (Forests), Government of Uttar Pradesh, Lucknow.
2. The Principal Secretary (Forests), Government of NCT of Delhi, New Delhi.
3. The Chief Wildlife Warden, Government of Uttar Pradesh, Lucknow
4. The Chief Wildlife Warden, Government of NCT of Delhi, New Delhi.
5. The Advisor (RE Division), MoEF
6. The Director, Wildlife Institute of India, Dehradun.

137A  
24/06

DWII OFFICE
DIARY NO.:
DATE:

**Copy to:**

1. PPS to Secretary (E&F)
2. PPS to DGF&SS, MoEF
3. PPS to IGF(WL), MoEF
4. PS to DIG(WL)

PA.  
 Searched per to  
 Dr. S. A. Hussain  
 Dr. Ruchi Badola  
 Dr. Bireesh Pandey

*[Signature]*  
23/6/2014

SUMMARY RECORD OF DISCUSSIONS OF THE MEETING ON ECO-SENSITIVE ZONE AROUND OKHLA BIRD SANCTUARY, HELD ON 9<sup>th</sup> JUNE 2014

\*\*\*

In pursuance of the direction of the National Green Tribunal vide their order dated 3<sup>rd</sup> April 2014, in Application No. 158/2013 (Amit Kumar vs. UOI & Ors.), a meeting under the chairmanship of Secretary (Environment and Forests) was convened on 9<sup>th</sup> June 2014 in his conference room, Indira Paryavaran Bhawan, Jor Bag, New Delhi. The meeting was convened to discuss the proposal for declaration of Eco-Sensitive Zone around Okhla Bird Sanctuary, Uttar Pradesh. The list of participants who attended the meeting is at **Annexure**.

Inspector General of Forests (WL) welcomed the Chair and delegates and explained about the proposal submitted by Government of Uttar Pradesh for declaration of Eco-Sensitive Zone around the Okhla Bird Sanctuary. He added that the State Government of Uttar Pradesh had proposed for limiting construction of buildings upto 2 storeys within the proposed Eco-Sensitive Zone and also prohibition of mining within 1 kms from the Sanctuary boundary. He also explained about the comments of Wild Life Institute of India that the ESZ be spread from Wazirabad (north-west) to Jaitpur (south east).

The Chief Wildlife Warden, Uttar Pradesh explained that considering that the Okhla Sanctuary is a bird sanctuary and in the centre of highly populated area of NCT of Delhi, the Government of Uttar Pradesh had proposed a width of 100 meter of Eco-Sensitive Zone around the Sanctuary. All the activities have been proposed to be regulated within this 100 meters zone, while commercial mining has been proposed to be prohibited upto 1 km from the boundary of the Sanctuary. Government of NCT of Delhi had also consented for notification of 100 meters on the Delhi side of the Sanctuary. He further added that on the suggestion of Wildlife Institute of India for extension of ESZ upto Wazirabad, Government of Delhi would be in better position to comment.

Dr. S.A. Hussain, Scientist, Wildlife Institute of India, explained that WII was involved in preparation of the Management Plan for Okhla Bird Sanctuary and the flood plains of Yamuna. Main reason for proposing the ESZ boundary up to Wazirabad in north was the emphasis given on protection of the flood plains of Yamuna and as this sanctuary was a riverine Sanctuary, any untoward development activity along the upstream of the river might affect the integrity of the Sanctuary. He added that every river has an inherent quality for cleansing itself up to 25 kms and therefore, by protecting Wazirabad flood plains, the entire stretch up to 25 kms could be protected.

The Secretary (Environment and Forests) clarified that need of protection of flood plain is being addressed under the Nature Conservation Zone of the NCR Conservation Master Plan and the present proposal has the focus on conservation of the sanctuary. He clarified that the regulations will take effect from the date of notification and existing structures are not intended to be removed. He invited the views of the Government of Delhi on the proposal.



IGF WL suggested extending ESZ further northward covering the wetland area within the span of the river so that reclamation of the river bed in the extended habitat of the birds is not disturbed. Chief Wildlife Warden, NCT of Delhi indicated that Delhi Government was in agreement for an Eco-Sensitive Zone of 100 meters and could also be extended upto 1500 meters as the area is already well built-up and Delhi Government may not have any problem for this.

After discussion, the following decisions were taken:

- i. A team of officials from the State Government of Uttar Pradesh, NCT of Delhi and Shri Shiv Pal Singh, Joint Director (WL), MoEF will carry out a field visit and revise the proposal adding the wetland area north of the sanctuary, within three weeks from the issuance of the minutes of the meeting.
- ii. The activity of establishment of Hotels and Resorts may be treated as a "Prohibited" activity within the notified Eco-Sensitive Zone.

The meeting ended with a vote of thanks to the Chair.

\*\*\*



(30) ~~326~~

Annexure

**LIST OF PARTICIPANTS**

\*\*\*

- 1 Dr. V. Rajagopalan  
Secretary (Environment and Forests) Chairman
- 2 Dr. Rupak De  
Principal Chief Conservator of Forests & Chief  
Wildlife Warden, Uttar Pradesh
- 3 Dr. S.K. Khanduri  
Inspector General of Forests (WL), MoEF
- 4 Dr. G.V. Subramaniam  
Advisor (RE Division), MoEF
- 5 Shri. A.K. Shukla  
Chief Conservator of Forests & Chief Wildlife  
Warden, Government of NCT of Delhi
- 6 Dr. S.A Hussain  
Scientist, Wildlife Institute of India, Dehradun
- 7 Shri Hemanth Kumar  
Conservator of Forests, Meerut, Uttar Pradesh
- 8 Shri K.K. Singh  
Dy. Conservator of Forests (Gautam Budh Nagar),  
Uttar Pradesh
- 9 Dr. H. Kharakwal  
Joint Director (RE Division), MoEF

Annexure V  
(29)

Government of India  
Ministry of Environment and Forests  
Wildlife Division

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110003

F. No. 1-1/2013 WL  
Dated: 9 March 2014

**Sub: Summary records of discussions held during the meeting on 20<sup>th</sup> February 2014 to discuss proposals of declaration of Eco-Sensitive Zones around National Parks and Sanctuaries.**

Kindly find enclosed a copy of the summary record of discussions held on 20<sup>th</sup> February 2014 in Room No. 402, Paryavaran Bhawan, New Delhi, under the chairmanship of the Inspector General of Forests (WL), to discuss the proposals for declaration of Eco-Sensitive Zones around National Parks and Sanctuaries.

Shiv 19/3/14  
(Shiv Pal Singh)  
Joint Director (WL)  
Telefax: 011-24364624

Encl: As above.

**Distribution:**

1. The Chief Wildlife Warden, Government of Bihar, Patna
2. The Chief Wildlife Warden, Government of Kerala, Thiruvananthapuram
3. The Chief Wildlife Warden, Government of Odisha, Bhubaneswar
4. The Chief Wildlife Warden, Government of Gujarat, Gandhinagar.
5. The Chief Wildlife Warden, Government of Rajasthan, Jaipur.
6. The Chief Wildlife Warden, Government of Uttarakhand, Dehradun.
7. The Chief Wildlife Warden, Government of Uttar Pradesh, Lucknow
8. The Chief Wildlife Warden, Government of West Bengal, Kolkata
9. The Chief Wildlife Warden, Government of NCT of Delhi, New Delhi
10. The Chief Wildlife Warden, Government of Lakshadweep, Kavarati.
11. The Director, Wildlife Institute of India, Dehradun.

Copy to: PPS to IGF(WL)/PS to DIG(WL)

838  
31/03

Dear  
In ECR files

WLS  
3/12

**SUMMARY RECORD OF DISCUSSIONS OF THE MEETING HELD ON 20.02.2014  
TO DISCUSS THE ECO-SENSITIVE ZONE PROPOSALS**

\*\*\*

A meeting was convened on **20<sup>th</sup> February, 2014** at 11.00 AM in Room No.402, Ministry of Environment and Forests, CGO Complex, Lodhi Road, New Delhi, under the chairmanship of the IGF(WL). The list of participants who attended the meeting is at **Annexure.**

2. After a brief welcome and introduction, the matter pertaining to Okhla Sanctuary was taken up for discussion. The CCF(WL), Government of NCT of Delhi informed that the matter pertaining to eco-sensitive zone around Okhla Bird Sanctuary was under consideration of the Hon'ble National Green Tribunal and that the Hon'ble Tribunal had directed MoEF, Government of Uttar Pradesh, Government of Haryana and Government of NCT of Delhi to file responses regarding the proposed eco-sensitive zone around the Okhla Bird Sanctuary. It was informed that the Government of Uttar Pradesh had also included the land of Delhi also in the notification of the Okhla Sanctuary.

After discussions, it was decided that the Government of Uttar Pradesh may take up consultations with the Government of NCT of Delhi and Haryana for notification of eco-sensitive zone around Okhla bird Sanctuary. It was also desired that the MoEF may be apprised of the outcomes of such consultation held amongst the three States.

This was followed by discussions on respective State Government proposals for declaration of eco-sensitive zone around National Parks and Sanctuaries:

**West Bengal:** The PCCF, West Bengal mentioned that they had forwarded the proposals to MoEF and that the WII had given their comments on the proposals. Based on the comments of WII, the State Government would submit revised proposals to MoEF at the earliest. The PCCF also desired to know the specific role of the Monitoring Committee and any specificity in its composition. It was informed that the Monitoring Committee is pivotal in assessing the planning process for the notified ESZ around the sanctuary and the Park Manager should be an integral part of the Committee.

It was once again clarified by the IGF(WL) that basic emphasis of declaration of eco-sensitive zones is not on prohibition but for regulation and the basic purpose of ESZ is for having better planning of the landscape.

**Rajasthan:** The CWLW, Rajasthan explained about the 27 proposals for declaration of eco-sensitive zones around National Parks and Sanctuaries in Rajasthan. He informed that the site specific regulations have been proposed in all the ESZ proposals of the state. He also added that the comments of WII on the proposals has been received and the State was revising the proposals accordingly. The CWLW informed that demarcation of boundaries was a difficult task

The State Government of Rajasthan was requested to submit/forward the revised proposals to MoEF at the earliest. It was also requested that the basic status of land within the ESZ may also be provided in the revised proposals. This was agreed to by the CWLW, Rajasthan who mentioned that the revised proposals would be submitted/forwarded within two weeks time.

**Kerala:** The CWLW, Kerala requested that the proposals for declaration of ESZ around National Parks and Sanctuaries in Kerala may be kept in abeyance till a final view on the Kasturirangan Committee Report on Western Ghats is taken by the MoEF.

**Uttarakhand:** The CWLW, Uttarakhand informed that the draft proposals for declaration of ESZ around National Parks and Sanctuaries in Uttarakhand has been submitted to the State Government by the Forest Department and that the approved version of the proposals would be submitted/forwarded to MoEF by end of February 2014.

**Odisha:** The PCCF (WL), Odisha informed that ESZ proposals for 16 Sanctuaries and National Parks in the State has been forwarded to MoEF. He said that a common proposal with respect to Satkosia Gorge Sanctuary and Baisipalli Sanctuary have been prepared. Further, with respect to Sunabeda Sanctuary, the State of Odisha had already requested the State of Chattisgarh for consultations.

The PCCF(WL), Odisha was once again requested to forward the soft copies of the proposals forwarded so far, especially with respect to Bhitarkanika and Gahirmatha proposals, as they had already been forwarded to RE Division of MoEF for further consideration.

It was also decided that the proposals received in MoEF so far may be scrutinized in the Wildlife Division and if found complete, could be forwarded to the RE Division.

**Lakshdweep:** The representative of UT of Lakshdweep informed that there is only one Sanctuary in Lakshadweep, viz., Pitti Island Bird Sanctuary having 0.01 Sq.kms. The sanctuary was totally uninhabited. However, large number of Terns nest in the island and the eggs are collected by the fishers of neighbouring islands. He said that the proposal for ESZ around this Sanctuary has been submitted/forwarded to MoEF.

It was decided that the Wildlife Division, after scrutiny, may forward the proposal to RE Division.

**Gujarat:** The CWLW, Gujarat informed that there were 27 Protected Areas in the State and out of this, ESZ around six National Parks & Sanctuaries have been notified by MoEF. The draft notification for one proposal was prepared. Nine fresh proposals have been submitted/forwarded to MoEF for further action while six of them have been recommended for submission by the State Government. He further informed that five proposals were under

process in various stages in the Forest Department. He added that the proposals prepared by the Forest Department are being considered by a Committee of Ministers. The CWLW, gave detailed presentations with respect to the ESZ proposals of Velavdar National Park, Gaga Sanctuary, Khijadiya Bird Sanctuary, Barda Sanctuary, Porbandar bird Sanctuary, Rampara Sanctuary, Shoolpaneshwar Sanctuary, Balaram Ambaji Sanctuary and Jessore Sanctuary.

It was informed that the ESZ proposals with respect to the above indicated nine Protected Areas have not been received in the-MoEF and therefore, the CWLW, was requested to once again forward all the nine proposals with soft copies and A-4 size maps, to the MoEF at the earliest. The CWLW, Gujarat informed that the proposals with respect to nine Protected Areas would be submitted/forwarded to MoEF within two weeks time.

It was decided that the Wildlife Division may scrutinize the proposals as and when received in the Division for expeditious submission to RE Division.

**Bihar:** The Director, Forest Department, Bihar gave a detailed presentation on the proposals of ESZ around National Parks and Sanctuaries in Bihar. He said that expect for the proposal for Pant Sanctuary, all the other proposals were complete with A-4 size maps, lat-long details, soft copies of the proposals, list of villages etc. He added that some of the Protected Areas shared boundaries with other States, like, the Gautam Budha Sanctuary shared its boundary with Jharkhand, Valmiki Tiger Reserve shared its boundary with Sohagibarwa sanctuary in Uttar Pradesh, Kaimur Sanctuary with Chandraprabha Sanctuary in Uttar Pradesh. He said that consultation process with neighbouring states were also being taken up.

After discussion, it was decided that the proposals forwarded by Government of Bihar may be scrutinized in the Wildlife Division and if found complete, may be forwarded to RE Division.

**Uttar Pradesh:** The Dy. CF, Government of Uttar Pradesh informed that proposals for declaration of ESZ around Protected Areas in Uttar Pradesh had been submitted/forwarded to MoEF.

It was informed that on preliminary scrutiny of the proposals, it was found that there were certain deficiencies, like A-4 size maps, soft copies of proposal, inter-state consultations, lat-long of villages inside the ESZ boundary, ESZ boundary coordinates, etc. The Dy. CF, Uttar Pradesh was requested that the State Government may submit/forward revised proposals with additional details, to the MoEF at the earliest. This was agreed and it was informed that the revised proposals would be forwarded very soon.

The meeting thereafter, ended with a vote of thanks to the chair.

\*\*\*

## ANNEXURE

## LIST OF PARTICIPANTS

\*\*\*

- 1 The Inspector General of Forests (WL), MoEF Chairman
- 2 Shri Ujjwal Bhattacharya, PCCF(WL), West Bengal
- 3 Dr. C.N. Pandey, PCCF(WL) & CWLW, Gujarat
- 4 Shri. V. Gopinathan, PCCF (WL) & CWLW, Kerala
- 5 Shri S.S. Srivastava, PCCF(WL), Odisha
- 6 Shri S.S. Sharma, PCCF(WL) & CWLW, Uttarakhand
- 7 Shri. A.S. Brar, Addl. PCCF(WL) & CWLW, Rajasthan
- 8 Shri S.P. Goyal, Scientist, Wildlife Institute of India, Dehradun.
- 9 Dr. Vivek Saxena, Deputy Inspector General of Forests (WL), MoEF
- 10 Shri Bharat Jyoti, Director (Ecology & Environment), Bihar
- 11 Shri A.K. Shukla, CCF & CWLW, Government of NCT of Delhi
- 12 Shri Asar Pal Singh, Dy. Resident Commissioner, UT of Lakshadweep
- 13 Shri N.S. Yadav, CCF (WL Crime), Gujarat
- 14 Shri Vinod Kumar, CF (WL), Haryana
- 15 Shri Krishan Kumar Singh, Dy. CF, Uttar Pradesh

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Annexure-VI  
(24)



भारतीय वन्यजीव संस्थान  
Wildlife Institute of India

No.WII/DEAN/MISC/42

15<sup>th</sup> February, 2014

To,

Shri Vivek Saxena  
DIG (Wildlife)  
Ministry of Environment & Forests  
Government of India  
Room No 435, Paryavaran Bhawan  
CGO Complex, Lodhi Road  
New Delhi  
Email:viveksax1@gmail.com

Sub.: Review of proposals for declaring Eco Sensitive Zone (ESZ)  
around Protected Areas sent by UP & Dadar & Nagar Haveli States-eg.

Sir,

With reference to the above, I am sending the comments/observations of this Institute on the 2 proposals for declaring Eco Sensitive Zone (ESZ) around Protected Areas sent by UP & Dadar & Nagar Haveli States for your kind perusal and further necessary action, please (Annexure-I).

Yours faithfully,

(Dr. V. S. Mathur)  
Dean, Faculty of Wildlife Sciences  
Wildlife Institute of India  
Chandrabani, Dehradun (Uttarakhand)

Encl. All original proposals in file received from MoEF.

Proposals were delivered in MoEF &  
office copy is there with for kind  
perusal.

Dean, WII

(Dr. S. P. Chugh)  
20.03.14

Post Box No. 18, Chandrabani, Dehradun - 248305  
EPABX : +91-135-2640111 to 2640115 2640990 ; FAX : 2640117 ; GRAM : WII, DEHRADUN

Pl. Send original to  
Sh. Naresh Thapa and copy to Prof. S. P. Chugh

## ANNEXURE-I

Status of Review of Ecosensitive Zone Proposals  
Sent by MoEF (as on 15<sup>th</sup> February, 2014)

S.No	MoEF File No	Name of PA/State	Reviewed by	Status
1.	10-1/2014 WL	ESZ around Okhla Bird Wildlife Sanctuary (Uttar Pradesh)	Dr. S.A.Hussain	Sent to MoEF through Dr. S.P.Goyal
2.	10-121/2013-14- WL (PART)	ESZ around around Dadar & Nagar Haveli	Sh. Assem Srivastava	



### **Comments on the proposal of creation of eco-sensitive zone around Okhla Bird Sanctuary**

The proposed eco-sensitive zone of Okhla Bird Sanctuary covers an area of 100 m around the Sanctuary at the U.P. side only. The boundary at the Delhi side is unattended. As the Sanctuary is an Interstate Protected Area, the Government of Delhi and Uttar Pradesh through a consultative process should carve out the eco-sensitive zone of the entire Sanctuary.

The eastern and western boundaries of Sanctuary have densely populated settlements of Noida and Okhla Townships, respectively. The most part of eastern boundary of the Sanctuary is bounded by Dalit Prerna Sthal while Kalindi Kunj road runs adjacent to the western boundary.

The eco-sensitive zone of Okhla Bird Sanctuary should cover the entire flood plain starting from Wazirabad barrage to Jaitpur (Delhi) – Asgharpur (U.P.). Hence, the area west to Geeta Colony Road/Noida Link Road in the east to the river and area east to G.T. Road-NH 1 up to Jaitpur in the west to river can be included as eco-sensitive zone.

Emphasis should be given on protecting the flood plains lying in the north and south of the Sanctuary with increasing the width of the eco-sensitive zone. Thus the northern boundary of the zone needs to be extended up to the Wazirabad Barrage as the Sanctuary is a riverine area and any untoward development activity at the upstream will affect the integrity of the Sanctuary. The southern boundary of the eco-sensitive zone should be extended to at least 5000 m down to Asgarpur Jagir (U.P.) – Jaitpur (Delhi) covering both sides of the river (A diagrammatic representation of the zone carved out from Google Earth is attached for clarity). The existing land-use in this area (flood plains) needs to be maintained unaltered to avoid further increase in pressure on the Sanctuary. A buffer of vegetation/trees needs to be maintained at both the edge of the eastern and western boundary of the Sanctuary.

The water quality of the Yamuna River in Delhi has deteriorated and it is necessary to ensure that no discharge of untreated waste water into the river is made along the complete stretch of river in Delhi and Uttar Pradesh as this will eventually harm the aquatic habitat in the Sanctuary. Sand mining along the bank, construction of high rise buildings, large residential complexes, industries, further widening of roads and discharge of untreated sewage and effluents needs to be prohibited in the eco-sensitive zone.

(21)



Suggested eco-sensitive zones of Okhla Bird Sanctuary, NCR Delhi

(1)

(20)

F. No. 10-1/2014 WL  
Government of India  
Ministry of Environment and Forests  
Wildlife Division  
\*\*\*

**Sub: Proposal for declaration of Eco-Sensitive Zone around Okhla Wildlife Sanctuary, Uttar Pradesh.**

**Ref: D.O. Letter No. 2968/14-4-2013 dated 30<sup>th</sup> December 2013 (F/R).**

Placed at **FR** is a D.O. letter received from the Chief Secretary, Uttar Pradesh, forwarding a proposal for declaration of Eco-Sensitive Zone around Okhla Bird Sanctuary, Uttar Pradesh. It has been indicated in the letter that 100 meter width has been proposed as Eco-Sensitive Zone around the Okhla Bird Sanctuary and that mining within 1 km radius of the Sanctuary has been prohibited as per the proposal. The Government of Uttar Pradesh has requested this Ministry for issuance of notification for Eco-Sensitive Zone around Okhla Bird Sanctuary.

The following are the preliminary observations on the proposal:

- i. The Eco-Sensitive Zone around the Sanctuary has been proposed as **100 meters**.
- ii. A table indicating the prohibited, regulated and permitted activities in the Eco-Sensitive zone have been provided ( **page 5/c**) which prohibits commercial mining activities within **1 km** from the boundary of the Sanctuary.
- iii. The proposal appears to be sketchy and the details of discussions/meetings of the Committee, as provided in para 6.2 of the Guidelines for declaration of ESZ, have not been provided.
- iv. The surrounding areas of Okhla Bird Sanctuary are apparently densely populated and suggestion of 100 meter width appears to be less, especially keeping in view the spirit of declaration of ESZ.
- v. The Sanctuary has boundary with NCT of Delhi also. The details of consultations, as required under Para 6.5 of the Guidelines, have not been indicated in the proposal.
- vi. Map in A-4 size has not been provided.

In the first instance, if approved, we may forward the entire file (in original) to Wildlife Institute of India for their comments.

Submitted for kind consideration please.

12/WL DIV  
2/1/2014

ALG (WL)

(19)

(2)

We may send the file to you for scrutiny and comments. In the meantime, the observations of wildlife divisions (P III to VII) may be sent to head of UP for compliance. Though the officials of UP forest department have been briefed only to submit the required information, we may send a letter to them to submit the necessary details at the earliest.

O/o AIGF (EAP) MOEF  
Dy. No. ...  
Date: 2.1.14

Muj  
2/1/14

sh shashi

Draft letter to CWLU, Uttar Pradesh is placed below for kind approval please (FA) Submitted please.

AIG (W)

sh  
2/1/2014

AIG (W)

It may be faxed to CWLU, UP. File may be sent to Director WII for comments & scrutiny.

Muj  
2/1/14

sh shashi

The letter to CWLU, U.P has been issued and is also being faxed.

May like to consider forwarding this file to Director, WII for (W) comments please. Submitted please.

sh  
2/1/2014

AIG (W)

Director, WII may please send the proposal & send comments at the earliest.

Muj  
2/1/14  
M. Jayaram  
Secy.

Director CW/1

He examine part of

sh  
6/1/2014

7/10/2014

(3)

(18)

Comments on eco-sensitive zone of Okhla  
Bird Sanctuary is placed herewith in a separate  
sheet. A tentative representation of the possible  
zone carved out using google earth is  
also placed herewith for clarity.

21474 BIRD SANCTUARY  
 Wildlife Department  
 No. 14  
 New Delhi

Dean, FWS, WII

Ashtari  
3.02.14

The Institute's comments/suggestions  
on the ESZ proposal of Okhla Bird Sanctuary are  
enclosed (Page A) and for kind perusal &  
only action, please

Atkins  
16/2

Dr. Virendra Kumar, DWS/W2



रजिस्ट्री संख्या डी०एल०.....

REGD No. DL.....

# भारत का राजपत्र

## *The Gazette of India*

असाधारण

EXTRAORDINARY

भाग 11- खण्ड-3- उप खण्ड (ii)

PART II-Section 3- Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

संख्या.....

नई दिल्ली.....दिसम्बर 2013/ पौष 1935

No.-----

NEW DELHI .....December.....2013/ PAUSA 1935

### MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the December-2013

S.O. (E)- The following draft of a notification, which the Central Government proposes to issue in exercise of the Powers conferred by Sub-section (1) read with clause (v) and clause (xiv) of sub section (2) of section (3) of the Environment (Protection) Act 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of Rule 5 of the Environment (Protection) Rule, 1986 for the information of the public likely to be affected hereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of the period of 60 days from the date of which copies of the Gazette of India containing this notification are made available to the public;

Any person interested in making any objections or suggestion on the proposals contained in the draft notification may do so in writing for consideration of the Central Government within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003, or electronically at e-mail address, [envisect@nic.in](mailto:envisect@nic.in).

## DRAFT NOTIFICATION

WHEREAS, Okhla Bird Sanctuary is located in National Capital Region(NCR) at the point where the river Yamuna leaves the territory of Delhi and enters the State of Uttar Pradesh. It is known for its aquatic habitat of large number and variety of migratory and resident birds where in about 324 species of about 6000 birds have been listed during winters. Important birds visit the sanctuary includes different species of Cormorants, Herons, Egrets, Darter, Koot, Ducks, etc.

AND WHEREAS, it is necessary to conserve and protect the area up to **One Hundred meter** from the boundary of the protected area of the **Okhla Bird Sanctuary** as an Eco-sensitive Zone from ecological and environmental point of view. Other than this it is necessary to prohibit the commercial mining activities within 01 KM. area from the protected boundary of Okhla Bird Sanctuary.

NOW, THEREFORE in exercise of the Powers conferred by Sub-section (1) read with clause (v) and clause (xiv) of sub section (2) of section (3) of the Environment (Protection) Act, 1986 (29 of 1986), and under sub rule (3) of Rule 5 of the Environment (Protection) Rule, 1986, the Central Government hereby notifies the area up to **One Hundred meter** from the boundary of the protected area of **Okhla Bird Sanctuary** in the State of Uttar Pradesh (as shown in the map annexed to this notification as Annexure A) as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone) and commercial mining activities within 01 KM. area from the protected boundary of Okhla Bird Sanctuary are also prohibited, namely:

### 1. Boundaries of Eco-sensitive Zone-

- i. The said Eco-sensitive Zone is the area up to **One Hundred meter** from the boundary of the **Okhla Bird Sanctuary** ( $28^{\circ} 32' 56.3''$  N Latitude  $77^{\circ} 18' 56.6''$  E Longitude) situated in the Gautam Budha Nagar district of Uttar Pradesh.
- ii. The map of the Eco-sensitive Zone is at '**Annexure-A**' and list of sectors falling within **one Hundred meter** distance from the boundary of Okhla Bird Sanctuary in the Eco-sensitive Zone are as follows namely -  
Sector 94 and sector 95, NOIDA.
- iii. All activities within the Eco-sensitive Zone of Okhla Bird Sanctuary would be in accordance with the provisions of the Indian Forest Act, 1927, Wildlife (Protection) Act,

1972 (53 of 1972), Forest (Conservation) Act, 1980 & The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

**2. Prohibited, Regulated and Permitted Activities in the Eco-sensitive Zone:-**

The Prohibited, Regulated & Permitted Activities in the boundary of Eco-sensitive Zone are as follows:

SL No	Activity	Prohibited/Regulated/ Permitted?	Remarks
1	Commercial mining	Prohibited	Commercial mining activities is prohibited within One kilometer area from the boundary of Okhla Bird Sanctuary. This regulation will not prohibit the digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal consumption.
2	Felling of trees	Regulated	With permission from appropriate authority.
3	Setting of industries causing pollution (Water, Air, Soil, Noise etc.)	Prohibited	-
4	Setting of saw mills	Prohibited	-
5	Establishment of hotels and resorts	Permitted	As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.
6	Commercial use of firewood	Prohibited	For hotels and other business related establishment.
7	Drastic change of agriculture system.	Regulated	-



8	Commercial use of natural water resources including ground water harvesting.	Regulated	As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.
9	Establishment of major hydroelectric projects	Regulated	-
10	Erection of electrical cables	Permitted	Promote underground cabling.
11	Ongoing agriculture and horticulture practices by local communities	Permitted	However, excessive expansion of some of these activities should be regulated as per the master plan.
12	Rain water harvesting	Permitted	Should be actively promoted.
13	Fencing of premises of hotels and lodges	Permitted	-
14	Organic farming	Permitted	Should be actively promoted.
15	Use of polythene bags by shopkeepers	Prohibited	-
16	Use of renewable energy sources	Permitted	Should be actively promoted.
17	Widening of roads	Permitted	This should be done with proper EIA and mitigation measures.
18	Movement of vehicular traffic at night	Regulated	For commercial purpose
19	Introduction of exotic species	Regulated	-
20	Use or production of any hazardous substances	Prohibited	-
21	Undertaking activities related to tourism like over-flying the national park area by any aircraft, hot-air balloons	Regulated	-
22	Protection of hill slopes and river banks	Permitted	As per the master plan
23	Discharge of effluents and solid waste in natural water bodies or terrestrial area	Prohibited	-

24	Air and vehicular pollution	Regulated	-
25	Sign boards & hoardings	Regulated	As per the master plan
26	Adoption of green technology for all activities	Regulated	Should be actively promoted.

2. The responsibility to comply with the environmental laws pertaining to all the activities carried out/to be carried out shall be on concerned administrative department. In addition to this, the matter relating to land would be dealt with according to Acts, Rules, Regulations and other Government orders. The necessary knowledge regarding agriculture system would be imparted by Agriculture Department.
3. The completed construction works before the issuance of notification for Eco-Sensitive Zone wouldn't be covered by this.

#### 4. Monitoring Committee:-

- (1) Under the provisions of sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government here by constitutes a committee to be called the Monitoring Committee to monitor the compliance with the provision of this Notification.
- (2) The monitoring committee referred to in sub-paragraph (1) shall consist of not more than ten members and Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local issues and the other members shall be:-

1.	District Magistrate, Gautam Budha Nagar	Chairman
2.	Divisional Forest Officer, Gautam Budha Nagar Forest Division, Gautam Budha Nagar	Member Secretary
3.	Superintendent of Police/ Senior Superintendent of Police, Gautam Budha Nagar	Member
4.	A representative of Ministry of Environment and Forest, Government of India	Member

(12)

5.	One representative of a Non Governmental Organization (NGO) working in the field of environment (including heritage conservation) to be nominated by the Government of India	Member
6.	Executive Engineer of PWD, Gautam Budha Nagar	Member
7.	Executive Engineer of Irrigation Department, Gautam Budha Nagar	Member
8.	District Agriculture Officer, Gautam Budha Nagar	Member
9.	Regional Officer, Uttar Pradesh State Pollution Control Board, District Gautam Budha Nagar	Member

- (3) The powers and functions of the Monitoring Committee shall be restricted to compliance of the Provisions of this notification only.
- (4) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State level Environment Impact Assessment Authority (SEIAA), which shall be the competent authority for grant of such Clearance as per the provisions of the Environment Impact Assessment notification, dated 14<sup>th</sup> September 2006, as amended time to time.
- (5) The Monitoring Committee may also invite representatives or experts from the concerned departments of association to assist in its deliberations depending on the requirements on issue to issue basis.
- (6) The Chairman or Member-Secretary of the Monitoring Committee shall be competent of file complaints under section 19 of the Environment (Protection) Act, 1986 for non-compliance of the provision of this notification.
- (7) The Monitoring Committee shall submit annual action taken reports by the 31<sup>st</sup> March of every year to the Ministry of Environment and Forests through the Government of Uttar Pradesh.
- (8) The Ministry of Environment & Forests shall give direction, from time to time, for effective discharge of the functions of the Monitoring Committee.

Signed  
Designation

Government of India  
Ministry of Environment and Forests  
Wildlife Division

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110003

F. No. 10-1/2014 WL  
Dated: 12<sup>th</sup> February 2014

The Chief Wildlife Warden,  
Government of Uttar Pradesh  
Lucknow.

Sub: Proposal for declaration of Eco-Sensitive Zone around Okhla Bird Sanctuary, Uttar Pradesh.

Sir,

Reference is invited to letter of the Principal Secretary (Forests), Government of Uttar Pradesh, No. 224/14-4-2013/2013/2014 dated 23<sup>rd</sup> January 2014, forwarding the revised proposal for declaration of Eco-Sensitive Zone around the Okhla Bird Sanctuary, Uttar Pradesh. In this context, it is requested that the following details may kindly be forwarded to this Ministry at the earliest:

- i. The Sanctuary has adjoining boundary with neighbouring State(s). The details of consultations, as required under Para 6.5 of the Guidelines may be provided.
- ii. List of villages/township, if any inside the ESZ along with 'Lat-Long'.
- iii. Extent of ESZ area and legal status of land inside the ESZ area proposed.

A meeting to discuss the ESZ proposals of Uttar Pradesh is being convened on 20<sup>th</sup> February 2014 and it is requested that the details may kindly brought along with during the meeting.

Yours faithfully,

~~M. Rajkumar~~

Assistant Inspector General of Forests (WL)

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18/02

Copy to:

1. The Chief Wildlife Warden, Government. of NCT of Delhi, New Delhi- *for necessary action.*
2. The Chief Wildlife Warden, Government of Haryana, Panchkula- *for necessary action.*
- ✓ 3. The Director, Wildlife Institute of India, Dehradun- with a request to kindly forward the comments on the above proposal.

Dean  
ESZ file  
Utho  
17/2  
PA to Dean